

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
WILLIAMS

Plaintiff,

-against-

ORDER

CV 04-5299 (JS) (ARL)

AMERICAN HOME MORTGAGE,

Defendant.
-----X

LINDSAY, Magistrate Judge:

After a telephone conference held this date, the following ruling was made:

The e-mail production responsive to the subpoena served on Merrill Lynch by plaintiffs will occur in two phases. Merrill Lynch is to first carve out the approximately 1400 historical e-mails. From this batch of e-mails, Merrill Lynch is to identify any e-mails between Jonas Gelb and either William Sweeney, Gwen Deutsch, Leo Loucas, or Vanick. Any e-mails so identified may not be produced to plaintiff and must first be produced to the defendants for inspection and objection. This production must be made on or before March 13, 2006. Defendants are to file their objections to further disclosure of said e-mails on or before March 27th. All expenses incurred by Merrill Lynch in screening these e-mails are to be borne by the defendants subject to Merrill Lynch providing defendants with an estimate of the likely cost.

The second phase of e-mail production, which concerns approximately 3000 additional e-mails, should follow phase one and follow the same procedure for identifying and withholding documents for the defendants' prior review.

Dated: Central Islip, New York
March 2, 2006

SO ORDERED:

_____/s/_____
ARLENE R. LINDSAY
United States Magistrate Judge